

**WILLIAMSBURG PLANNING COMMISSION
MINUTES
Wednesday, July 20, 2005**

The regular monthly meeting of the Williamsburg Planning Commission was held on Wednesday, July 20, 2005, at 3:30 p.m. in the Council Chambers at the Stryker Building, 412 North Boundary Street.

CALL TO ORDER and ATTENDANCE

Chairman Young called the meeting to order. Present in addition to Mr. Young were Commissioners Pons, McBeth, Friend and Rose. Commissioners Smith and Hertzler were absent. Also present were Planning Director Nester, City Attorney Phillips, Zoning Administrator Murphy and Secretary Scott.

MINUTES

After Mrs. McBeth made a correction, Mr. Pons moved that the minutes of the June 15 meeting be approved. Mrs. McBeth seconded the motion which carried by roll call vote of 5-0.

Recorded vote on the motion:

Aye:	Pons, Young, Rose, McBeth, Friend
No:	None
Absent:	Hertzler and Smith

CONSENT AGENDA

There were no items on the consent agenda this month.

PUBLIC HEARINGS

PCR #05-015: Request of Roseland Property Company for a special use permit to reduce certain front, side and rear yard requirements for High Street Williamsburg, 1424-1446 Richmond Road and 150-176 Ironbound Road. This property is zoned ED-2 Economic Development District. The Commission recommended the waivers to certain front, side and rear yard requirements be approved by a vote of 4-0-1.

PCR #05-017: Request of Roseland Property Company for approval of a preliminary plat (master plan) for the townhouse section of High Street Williamsburg, a 53 lot townhouse subdivision

located at 1424-1446 Richmond Road and 150-176 Ironbound Road. This property is zoned ED-2. The Commission recommended that the Preliminary Plat be approved by a vote of 4-0-1.

PCR #05-018: Amendment of Chapter 21, Zoning, Article III, Division 10.2, Economic Development District ED-2, Sec. 21-378(1)a. Height. It is proposed to revise the building height to allow buildings to be constructed to a height of 60 feet if they are set back 200 feet from Richmond Road and Ironbound Road, and 50 feet from Treyburn Drive. The Commission recommended approval of the amendment by a vote of 4-0-1.

PCR #05-019: Amendment of Chapter 21, Zoning, Article V, Parking, Sec. 702, Location of parking. It is proposed to expand this section to allow off-site parking for residential uses upon approval by the Board of Zoning Appeals, City Council (in conjunction with a special use permit), or Planning Commission (in conjunction with site plan review). The Commission recommended approval of the amendment by a vote of 4-0-1.

SPR #05-009: Roseland Property Company – Final Site Plan for High Street Williamsburg, 1424-1446 Richmond Road and 150-176 Ironbound Road (approximately 236,000 square feet of commercial floor area, 181 apartments, 248 condominiums and 53 townhouses). The Commission approved the final site plan with contingencies by a vote of 4-0-1.

Chairman Young noted that although each of the above-noted requests would be voted on separately, discussion will include all five proposals.

Mr. Nester reviewed the 56.5 acre development including the Commercial Section, the Apartment Section, the Townhouse Section and the Condominium Section. He noted that developer Roseland Property Company partner, Daniel Aston, along with Mark Ricketts and Kirsten Black, representatives from Woolpert, Inc., who did the site design and traffic study, are present today to respond to any questions or comments. Mr. Nester noted that the High Street project will be one of the biggest developments in the City and as such will involve substantial clearing and grading.

Mr. Pons asked if there will be a bus stop and shelter, and Mr. Nester responded that this service is being reviewed. There is a transit stop and all are aware that it will need to be of a special design.

Chairman Young opened the public hearing.

Ben Altshuler, 222 Virginia Avenue, said he has lived in the City of Williamsburg for more than forty years. He said the two eastbound lanes between Bypass Road and New Hope Road should not be reduced to one lane, which would create a bottleneck. He added that the road should be widened if necessary.

Jane Rackley, 627 Powell Street, stated that she doesn't like PCR #05-019, which allows off-site parking for residential uses, because she doesn't like what it will do in other residential areas of the City.

There being no other comment the public hearing was closed.

Mr. Rose stated that at the last meeting he recused himself from both discussion and vote on this project due to a possible conflict of interest, however, he has now received a response from the Commonwealth Attorney which states that he need not be prohibited from discussion, but should not participate in the vote. He will provide a copy of the letter for the record.

With the lane shift between Bypass Road and New Hope Road, Mrs. McBeth asked if the roadway will open up into two lanes. Mr. Nester confirmed that it will open to two lanes again at New Hope Road. Mr. Pons asked if Richmond Road could be widened to maintain the existing two lanes, and to also provide two eastbound lanes at the Bypass Road traffic light. He added that if it could be widened coming into the City, it would tend to encourage more business. He asked if there might be an opportunity to expand the intersection into the City, i.e., at the IHOP and Fairfield Inn.

Mr. Nester responded that the traffic study showed the need for a right turn lane onto Bypass Road. To expand the intersection as discussed, additional land and parking spaces would need to be acquired from Fairfield Inn, IHOP, and Comfort Inn.

Mrs. McBeth asked if the inside left turn lane could have a left-turn or straight-through option. Kirsten Black with Woolpert, Inc. stated that only the existing single east-bound lane was warranted by the study.

Mr. Young suggested that the project keep moving forward while looking a bit further into turning lanes. Mr. Nester said that the City is always concerned with movement of traffic and will continue to look at how this area functions and if tweaking is necessary to keep Richmond Road working at its maximum efficiency.

City Attorney Phillips noted that the law Commissioner Rose referenced went into effect July 1, 2005. He suggested that when Mr. Rose makes his statement he not only note his affiliation with Kaufman and Canoles, but also that he is not handling this matter currently before the Planning Commission. He should note that his association with the firm will not unduly influence his discussion and he will not be compensated nor will he be enriched by this affiliation. Mr. Rose so noted.

Mr. Rose asked about the Treyburn Drive extension and if secondary roads have the capacity to expand if needed. Mr. Nester responded that the traffic study looked at all major interface points and the bottom line is that Treyburn and Richmond Road and all intersections will be acceptable. He added that City staff was happy with the traffic circulation.

Mr. Pons stated that the project fits in well with the mixed-use concept, the height on the condos will provide balance and he has no objections.

Mr. Rose asked if the scale of the project is appropriate. Mr. Nester said the condominiums are large buildings but work well with the lower-scaled buildings on Richmond Road. He added that there will be enough variation to avoid the appearance of a monolithic development.

In reply to Mr. Young's question regarding the potential impact of the yard requirements on the rest of the City, Mr. Nester said proposals would still require approval of a special use permit.

PCR #05-015

With the conclusion of discussion, Mr. Pons moved that Planning Commission recommend to City Council that the Special Use Permit allowing the following waivers to front, side and rear yard requirements be approved:

<u>Apartment Building</u>	<u>Required Yard</u>	<u>Proposed Yard</u>
Garage G3	15' side	2' side (Middle St.)
<u>Condominium Building</u>	<u>Required Yard</u>	<u>Proposed Yard</u>
C1	15' front	5' front (Road A)
C2	15' front	5' front (Road A)
C2	15' side	5' side (Middle St.)
<u>Commercial Buildings</u>	<u>Required Yard</u>	<u>Proposed Yard</u>
Parking Terrace	15' rear	5' rear (Middle St.)
Cinema	15' rear	5' rear (Middle St.)

Mrs. McBeth seconded the motion which carried by roll call vote of 4-0-1.

Recorded vote on the motion:

Aye: Pons, Young, McBeth, Friend
No: None
Abstain: Rose
Absent: Hertzler and Smith

PCR #05-017

Mrs. McBeth moved that Planning Commission recommend to City Council that the Preliminary Plat for the 53 lot High Street Williamsburg townhouse subdivision be approved as shown on the High Street Williamsburg Construction Plans.

Mr. Pons seconded the motion which carried by roll call vote of 4-0-1.

Recorded vote on the motion:

Aye:	Pons, Young, McBeth, Friend
No:	None
Abstain:	Rose
Absent:	Hertzler and Smith

PCR #05-018

Mr. Pons moved that Planning Commission recommend to City Council that the building height regulations for the ED-2 District [Sec. 21-378(1)a.] be revised to allow buildings to be erected to a 60 foot height if they are located at least 50 feet from Treyburn Drive.

Recorded vote on the motion:

Aye:	Pons, Young, McBeth, Friend
No:	None
Abstain:	Rose
Absent:	Hertzler and Smith

PCR #05-019

Mr. Friend moved that Planning Commission recommend to City Council that the parking regulations [Sec. 21-702] be revised to allow for approval of off-site parking for residential uses.

Mrs. McBeth seconded the motion which carried by roll call vote of 4-0-1.

Recorded vote on the motion:

Aye:	Pons, Young, McBeth, Friend
No:	None
Abstain:	Rose
Absent:	Hertzler and Smith

OPEN FORUM

Chairman Young opened the Open Forum portion of the meeting encouraging comments from the audience on any topic.

There being no comment the Open Forum portion of the meeting was closed.

SITE PLANS AND SUBDIVISIONS

SPR #05-009

Mrs. McBeth moved that Planning Commission approve the final site plan for High Street Williamsburg contingent upon the following:

1. Approval of the following by City Council:
 - a. Reduction of certain front, side and rear yards (PCR #05-015).
 - b. Preliminary Plat for the 53 lot townhouse subdivision (PCR #05-017).
 - c. Amendment to the ED-2 District to allow buildings to be constructed to a height of 60 feet if they are located at least 50 feet from Treyburn Drive (PCR #05-018).
 - d. Amendment of the parking regulations to allow approval of off-site parking for residential uses (PCR #05-019).
2. Completion of the following items prior to the issuance of any land disturbing or building permits for the project:
 - a. Resolve all engineering details to the satisfaction of City staff.
 - b. Obtain a VPDES permit from Department of Environmental Quality.
 - c. Record a stormwater management maintenance agreement that is approved by the City.
 - d. Obtain Army Corps of Engineers approval for filling in wetlands.
 - e. Obtain a right-of-way permit, and post the required bond, for work within City rights-of-way.
3. Approval of the Landscape Master Plan as a conceptual plan. The final landscaping and sidewalk details shall be approved by staff and shall be in accord with the approved conceptual plan. Any changes to the greenbelt along Ironbound Road shall be approved by Planning Commission.
4. Approval of waivers to allow construction on 30% or greater slopes as identified on the site plan. These areas total 1.1 acres for the entire site (approximately 2% of the total site area).
5. Approval of waivers to reduce the landscape strip adjacent to public street rights-of-way for the following locations:

<u>Parking Area</u>	<u>Required Landscaping</u>	<u>Proposed Landscaping</u>
South of Garage G3	15' adjacent to street	5-8' adjacent to street (7-10' waiver needed)
West of Middle St. between Road A and Road B	15' adjacent to street	Varies from 30' to 2' (up to 13' waiver needed at southeast corner of townhouse section)

6. Construction by the developer of the off-site improvements shown on the approved site plan, to include: restriping and widening of Richmond Road along the High Street property frontage; installation of a traffic signal at the High Street entrance; coordination of the traffic signals at Ironbound Road,

the High Street entrance, and Bypass Road; reconfiguration of the Richmond Road/Bypass Road intersection to create the new right turn lane onto Bypass Road; and construction of a right turn lane from Ironbound Road onto Middle Street.

7. Recordation of a subdivision plat dividing the High Street property into seven developable lots, acreage on the west side of Treyburn Drive for future development, public street rights-of-way (Middle Street, Road A, and Road B), and any open space needed to meet the landscaped open space requirement. All existing property lines, easements, and restrictions that are not needed for the High Street Williamsburg development shall be vacated.
8. Recordation of the final townhouse subdivision plat prior to the issuance of individual building permits for the townhouse section.
9. Certification by a certified land surveyor that the finished floor elevation has been established in accordance with the approved site plan shall be required before building construction can proceed above the foundation or slab.
10. Certification by a licensed engineer or certified land surveyor that the final site grading has been completed in accordance with the approved site plan prior to the issuance of any certificate of occupancy.

The motion was seconded by Mr. Friend and carried by roll call vote of 4-0-1.

Recorded vote on the motion:

Aye:	Pons, Young, McBeth, Friend
No:	None
Abstain:	Rose
Absent:	Hertzler and Smith

OLD BUSINESS

Planning Commission Bylaws

To ensure that there is always a quorum of the Site Plan Review Committee, Mr. Nester suggested that in addition to the three regular members of the Committee (appointed by the Chairman), one alternate member be added. The alternate member would have a vote in the event that one of the regular members is absent or has a conflict of interest and cannot vote. He said if the Commission wishes to adopt the revised guidelines, a vote for the approval of the amendment would be needed.

Mr. Friend stated that he has served on the committee for a number of years and the 9:00 a.m. meeting time and illnesses have sometimes made it difficult to attend. He said it would be helpful to have an additional member to serve when needed.

Mr. Young confirmed that good discussion takes place in the committee meetings and we need to do whatever is necessary for its continuation.

Mrs. McBeth noted that the Planning Commission chairman is an ex-officio member of all committees, however the Bylaws as a whole need to be updated. She suggested that the issue be tabled until the next meeting. Mr. Pons agreed and suggested the Commission wait until the conclusion of the Comprehensive Plan review.

Mr. Nester said the agenda is light next month and this might be a good opportunity for the Commission to review the Bylaws. He suggested Commission members notify him of any changes they feel are necessary and he'll put together a proposal.

City Attorney Phillips informed the Commission that according to Robert's Rules of Order, if an issue is tabled it is to automatically come up at the next regular meeting of the group.

Mrs. McBeth moved that the Planning Commission Bylaws review be tabled, to be discussed at the August meeting. Mr. Rose seconded the motion which carried by roll call vote of 5-0.

Recorded vote on the motion:

Aye:	Pons, Young, Rose, McBeth and Friend
No:	None
Absent:	Hertzler, Smith

NEW BUSINESS -- none

OTHER -- none

INFORMATION ITEMS

Planning Department Monthly Report
Monthly Financial Statement

There being no further business the meeting adjourned at 4:55 p.m.

PUBLIC HEARINGS SCHEDULED FOR AUGUST 17, 2005

PCR #05-012: Request of Sharon Scruggs for a special use permit to convert 218 North Boundary Street into a two room cottage for transient guests. The property is zoned LB-1 Limited Business Downtown District, and is identified as Williamsburg Tax Map No. 465-0A-00-031. It is

proposed to operate this facility as part of the Fife and Drum Inn on Prince George Street.

Jesse Young, Chairman
Williamsburg Planning Commission